

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA
PLAINTIFF,

VS.

CHRISTOPHER MERHAN
JUDGMENT DEFENDANT,

AND

BANK OF AMERICA, N.A.
GARNISHEE

CRIMINAL NO. 4:97-CR-191-05

ANSWER TO WRIT OF GARNISHMENT

TO THE HONORABLE JUDGE OF THIS COURT:

Bank of America, N.A., garnishee, files this original answer to the writ of garnishment issued on or about April 10, 2014 and served on garnishee, and in answer shows the following:

I.

The writ was served on garnishee on April 28, 2014.

II.

On April 28, 2014, garnishee was indebted to Christopher Merhan and/or his spouse Amanda Merhan in the amount of \$29,282.41; this being \$6,075.42 in an account styled "Christopher Merhan Sole Prop. d/b/a Christopher Merhan CPA," \$9,234.25 in an account styled "Christopher Pasive Merhan Sole Prop. d/b/a C.P. Merhan Consulting," \$9,529.63 in two accounts styled "Christopher Pasive Merhan," and \$4,443.11 in two accounts styled "Amanda L. Merhan." However, deposits were later made increasing the total amount of indebtedness to \$32,305.56. Bank of America, N.A. is uncertain as to whether the judgment defendant has any possible exemptions to the writ of garnishment.

III.

On April 28, 2014, garnishee was not in possession of any effects belonging to Christopher Merhan and/or his spouse Amanda Merhan.

IV.

Garnishee is not aware of any other entity owing any debts to Christopher Merhan and/or his spouse Amanda Merhan, or possessing effects belonging to Christopher Merhan and/or his spouse Amanda Merhan.

WHEREFORE, Bank of America, N.A. requests:

1. That all claims to the funds be determined and adjudicated, and that garnishee be discharged from all liability to the United States of America, Christopher Merhan Sole Prop. d/b/a Christopher Merhan CPA, Christopher Pasive Merhan Sole Prop. d/b/a C.P. Merhan Consulting, Christopher Pasive Merhan, Amanda L. Merhan, and Christopher Merhan, respecting the funds.
2. Such other relief to which garnishee may show itself properly entitled.

Respectfully submitted,

By: /s/ Evan A. Moeller

Evan A. Moeller
State Bar No. 24051067

**ATTORNEY-IN-CHARGE FOR
BANK OF AMERICA, N.A.**

OF COUNSEL:
HIRSCH & WESTHEIMER, P.C.
Bank of America Center
1415 Louisiana, 36th Floor
Houston, Texas 77002
Telephone: (713) 223-5181
Telecopier: (713) 223-9319

VERIFICATION

STATE OF CALIFORNIA §
COUNTY OF LOS ANGELES §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Tranh Vong, who, being by me duly sworn on oath deposed and said that he is an Assistant Vice-President of Bank of America, N.A. in the above-entitled and numbered cause; that he has read the above and foregoing Answer to the Writ of Garnishment; and that every statement contained in that document is within his personal knowledge and is true and correct.

Tranh Vong

SUBSCRIBED AND SWORN TO (OR AFFIRMED) BEFORE ME on this 9 day of
May, 2014, by Tranh Vong proved to me on the basis of satisfactory evidence to be the
person who appeared before me.

Seal:



Notary Public in and for the State of California

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of May, 2014, that a true and correct copy of the foregoing Answer to Writ of Garnishment was sent by certified mail, return receipt requested, to the following persons:

United States Attorney
Southern District of Texas
Attn: Martha Minnis
1000 Louisiana Street, Suite 2300
Houston, TX 77002
CMRRR NO. 7013 2250 0001 3645 1189

Christopher Merhan Sole Prop.
d/b/a Christopher Merhan CPA
P.O. Box 133053
Spring, TX 77393-3053
CMRRR NO. 7013 2250 0001 3645 1196

Christopher Pasive Merhan Sole Prop.
d/b/a C.P. Merhan Consulting
18047 Vahorn Ct
Spring, TX 77379-5153
CMRRR NO. 7013 2250 0001 3645 1202

Christopher Pasive Merhan
18047 Vahorn Ct
Spring, TX 77379-5153
CMRRR NO. 7013 2250 0001 3645 1219

Amanda L. Merhan
18047 Vahorn Ct
Spring, TX 77379-5153
CMRRR NO. 7013 2250 0001 3645 1226

/s/ *Evan A. Moeller*
Evan A. Moeller